

**FEDERAL SUPERFUND LIEN  
(CERCLA)**

Name of Property Affected:

Standard Chlorine of Delaware Superfund Site

Name of Owner: Metachem Products, LLC

Address of Property:

**U. S. DISTRICT COURT - DE  
MISC. CASE # 07-202**

0 Governor Lea Road (parcel number 1200300013)  
and  
0 Off Governor Lea Road (parcel number 1200300017)  
New Castle, Delaware

(See the attached deed describing the location of the property boundaries.)

For Information Contact:

Hilda E. Burgos (3RC43)  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103  
(215) 814-2609

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2007 NOV 21 PM 3:28

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NOTICE OF LIEN

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Notice is hereby given by the United States Environmental Protection Agency (EPA), on behalf of the United States, that the United States holds a lien on the property described in the attached pages. Pursuant to Section 107(l) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9607(l), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 (CERCLA), a lien is created in favor of the United States upon all real property and rights to such property that belong to persons liable for costs and damages pursuant to 42 U.S.C. § 9607(a) and which property is subject to or affected by a removal or remedial action. This lien arises either at the time the United States first incurs costs with regard to a CERCLA response action or when the person(s) liable for such costs and damages is provided with written notice of potential liability, whichever is later. See 42 U.S.C. § 9607(l)(2). The lien continues until liability for costs and damages (or any decree or judgment against the person arising out of such liability) is satisfied or becomes unenforceable through operation of the applicable statute of limitations contained in Section 113 of CERCLA, 42 U.S.C. § 9613. Because response activities are ongoing, the amount covered by

the lien will increase as EPA continues to incur costs related to the removal or remedial action. The documents that support the placement of this lien can be found in the "Lien Filing Record" on the Standard Chlorine of Delaware Superfund Site. Said Record is available for review at the Office of EPA, Region III at the following address:

Lydia Guy  
Regional Hearing Clerk  
U.S. EPA (Mail Code 3RC00)  
1650 Arch Street  
Philadelphia, PA 19103  
(215) 814-2489

Authority to file lien notices was delegated to the Administrator of EPA on January 29, 1987 by Executive Order 12580, 52 Federal Register 2923, delegated to the Regional Administrator by EPA Delegation No. 14-26, September 13, 1987 (and again on May 11, 1994), and further delegated to the Regional Counsel on April 6, 1988.

DATE NOTICE OF LIABILITY GIVEN:	August 9, 2001
DATE COSTS WERE FIRST INCURRED:	August 1985 <sup>1</sup>
EPA COSTS THROUGH SEPTEMBER 12, 2006:	\$ 64,574,250.74
ESTIMATED TOTAL COSTS:	\$102,574,250.74

The potential liability associated with the Site is joint and several. There may be other potentially responsible parties associated with the Site. The estimated future costs set forth in this document are only an estimate and have not yet been determined by EPA to be cost recoverable. EPA is only entitled to recover costs that are not inconsistent with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) at 40 C.F.R. Part 300; see Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

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<sup>1</sup> In 1982, the state of Delaware conducted a Preliminary Assessment/Site Inspection ("PA/SI") at the Site, pursuant to a State Cooperative Agreement with EPA. EPA provided oversight on the PA/SI. As a result, EPA actually first incurred costs at the Site in 1982. However, a site specific account number was established for the Standard Chlorine of Delaware Site after the performance of the PA/SI. As a result, the costs listed in this document begin on August 1, 1985, which is the date that EPA issued a work assignment under a contract to perform a responsible party search.



WILLIAM C. EARLY  
REGIONAL COUNSEL  
REGION III  
U.S. ENVIRONMENTAL PROTECTION AGENCY

11/14/07

DATE

Subscribed and sworn  
before me on this, the

day of

2007.

NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Virginia Cody, Notary Public  
City Of Philadelphia, Philadelphia County  
My Commission Expires Jan. 9, 2011  
Member, Pennsylvania Association of Notaries

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98 DEC -8 PM 2:24

MICHAEL J. SATTAGLIA  
RECORDER OF DEEDS  
NEW CASTLE CO. DE

Parcel Nos. 12-003.00-002  
12-003.00-010  
12-003.00-011  
12-003.00-012  
12-003.00-013  
12-003.00-017  
12-008.00-004  
12-008.00-006



Record Plan/Microfilm No. 2422; 4969;  
5151; 9045; 12215; 13506

Prepared by and Return to:  
MORRIS, NICHOLS, ARSHT &  
TUNNELL  
ATTN: Donald Nelson Isken, Esquire  
1201 North Market Street  
P. O. Box 1347  
Wilmington, DE 19899-1347

## DEED

THIS DEED made this 2<sup>nd</sup> day of December, in the year of Our LORD, One Thousand Nine Hundred Ninety Eight.

BETWEEN, STANDARD CHLORINE OF DELAWARE, INC., a Delaware corporation (the "Grantor"),

AND

COP ACQUISITION COMPANY, LLC, a Delaware limited liability company, whose tax mailing address is c/o Charter Oak Capital Partners, 10 Wright Street, P.O. Box 5147, Westport, Connecticut 06881 (the "Grantee"),

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the Grantee, its successors and assigns, the real property located in Red Lion Hundred, County of New Castle, State of Delaware, and more fully described on Exhibit A, attached hereto and made a part hereof by reference,

SUBJECT TO those conditions, covenants and restrictions appearing on Exhibit B, attached hereto and made a part hereof by reference, zoning ordinances, if any, and taxes and assessments, both general and special, not yet due and payable.

NCC 04A 1432DE08'98 104 \$7,971.00 NC

12/15/98 35295

599377

NCC 04A 1432DE08'98 104 \$7,971.00 NC

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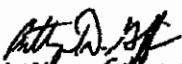
TO HAVE AND TO HOLD the above granted and bargained premises, with all appurtenances thereto, unto the Grantee, its successors and assigns, forever.


IN WITNESS WHEREOF, the Grantor has caused its name and seal to be hereunto set and affixed on the day and year first set forth above.

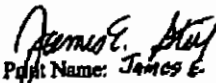
GRANTOR

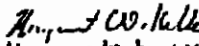
SIGNED, SEALED AND  
DELIVERED IN THE  
PRESENCE OF (as to both  
signatures):

STANDARD CHLORINE OF DELAWARE,  
INC., a Delaware corporation

  
Print Name: Carolyn D. Griffin

By:  (SEAL)  
Name: Richard J. Ward  
Title: President

  
Print Name: James E. Striep

Attest:  (SEAL)  
Name: Margaret W. Kelly  
Title: Secretary  
  
{Corporate Seal}

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STATE OF NEW YORK )  
 ) SS.  
COUNTY OF NEW YORK )

BEFORE ME, a notary public in and for said County and State,  
personally appeared the above named RICHARD WARD, the  
PRESIDENT of Standard Chlorine of Delaware, Inc., the Delaware corporation  
that executed the foregoing instrument, and who acknowledged that he/she did sign the  
foregoing instrument as such officer, and that the same is his/her own free act and deed as such  
officer and the free act and deed of such corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official  
seal at New York, New York, this 2<sup>nd</sup> day of  
November, 1998.

December

Sarah Schiff  
Notary Public

My commission expires:  
10/13/99

DEBO-12-1 SCHIFF  
NOTARY PUBLIC, State of New York  
No. 4537233  
Qualified in Nassau County  
Commission Expires October 13, 1999

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**Exhibit A**

**Legal Description**

**TAX PARCEL 12-003.00-002**

ALL that certain tract, piece or parcel of land situated in Red Lion Hundred, New Castle County, State of Delaware, more particularly bounded and described in accordance with a survey of Van DeMark & Lynch, Inc., dated March 24, 1965, and revised April 30, 1965, as follows:

BEGINNING at an iron pipe in the northerly side of Governor Lea Road, said point being distant North 86 degrees 34 minutes 10 seconds West, 1386.03 feet measured along the said northerly side of Governor Lea Road from the intersection thereof with the center line of River Road; thence from said point of Beginning and along the said northerly side of Governor Lea Road, North 86 degrees 34 minutes 10 seconds West, 406.08 feet to an iron pipe; thence through lands formerly of the Diamond Alkali Company the three following courses and distances: (1) along a line parallel to the easterly property line of Air Products and Chemicals, Inc. and distant easterly 60 feet therefrom measured at right angle thereto, due North 560.63 feet to an iron pipe; (2) due East, 405.35 feet to an iron pipe; and (3) due South 584.93 feet to a point in the northerly side of Governor Lea Road and the point and place of Beginning, but subject to all legal highways.

TOGETHER with all the right, title and interest whatsoever of the party of the first part in and to the land lying in the beds of any streets or roads abutting said premises herein conveyed, and in or to land lying in any railroad, street, railway or private rights-of-way of any kind whatsoever abutting on or included within the bounds of the said premises herein conveyed and together with all riparian and littoral rights of the party of the first part and all rights in respect to subaqueous soil adjacent to or included within the bounds of the above described property.

BEING part of the same lands and premises which Delaware Industrial Development Corporation Number Two, a corporation of the State of Delaware, by Deed dated June 1, 1965, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record B, Volume 75, Page 1, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

**TAX PARCEL 12-003.00-010**

ALL those lands and premises located in Red Lion Hundred more particularly bounded and described as follows, to wit:

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BEGINNING at a point on the northeasterly side of Governor Lea Road, said point of Beginning being a corner for lands of the Diamond Shamrock Corporation, said point of Beginning being distant North 86 degrees, 34 minutes, 10 seconds West, 1386.03 feet measured along the said northeasterly side of Governor Lea Road and the extension thereof from its point of intersection with the center line of River Road; thence from said point of Beginning and along the said northeasterly side of Governor Lea Road, North 86 degrees, 34 minutes, 10 seconds West, 75.14 feet to a point; thence along line of lands to be retained by Standard Chlorine of Delaware, Inc., Due North 580.43 feet to a point in line of said lands of the Diamond Shamrock Corporation; thence thereby the two following described courses and distances: (1) Due East, 75.0 feet to an iron pipe; and (2) Due South, 584.93 feet to a point on the said northeasterly side of Governor Lea Road and the point and place of Beginning. Containing within such metes and bounds 1.003 acres of land, be the same more or less, but subject to all legal highways.

AND ALSO ALL that piece or parcel of land located in Red Lion Hundred, New Castle County, Delaware, north of Governor Lea Road, more particularly bounded and described as follows:

BEGINNING at an iron pipe, a corner for lands of Standard Chlorine of Delaware, Inc., and lands of Diamond Shamrock corporation, formerly Diamond Alkali Company, said point of beginning being distant the two following described courses and distances measured from the point of intersection of the extension of the northeasterly side of Governor Lea Road with the center line of River Road: (1) along the said northeasterly side of Governor Lea Road and the extension thereof North 86 degrees, 34 minutes, 10 seconds West, 1386.03 feet to an iron pipe; (2) along the division line between said lands of Standard Chlorine of Delaware, Inc. and lands of Diamond Shamrock Corporation, formerly Diamond Alkali Company, Due North 584.93 feet to said point of BEGINNING; thence from said point of Beginning and along the northerly line of said lands of Standard Chlorine of Delaware, Inc., Due West, 405.35 feet to an iron pipe; thence through lands of said Diamond Shamrock Corporation, formerly Diamond Alkali Company the three following described courses and distances: (1) Due North 538.00 feet to a point; (2) Due East, 405.35 feet to a point; and (3) Due South 538.00 feet to an iron pipe and the point and place of BEGINNING. Containing within such metes and bounds, 5.006 acres of land be the same more or less, but subject to all legal highways.

BEING the same lands and premises which The Delaware Economic Development Authority, a body corporate and politic and an instrumentality of the State of Delaware and the statutory successor-in-interest pursuant to 62 Del.Laws, c. 269 §3 and 63 Delaware Laws, c. 189, §5(g) to the Department of Community affairs and Economic Development of the State of Delaware, by Deed dated June 10, 1998, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 2480, Page 0066, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

TAX PARCEL 12-003.00-011

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ALL that certain lot, piece or parcel of land, situate in Red Lion Hundred, New Castle County and State of Delaware, designated as Parcel A on a certain Record Minor Subdivision Plan of Diamond Shamrock corporation made by Van Demark & Lynch, Inc., dated August 21, 1973, revised September 18, 1973 and appearing of record in the Office of the Recorder of Deeds in and for New Castle County aforesaid in Microfilm No. 2422 and being more particularly bounded and described in accordance therewith as follows, to wit:

BEGINNING at a point on the Northerly side of Governor Lea Road (#405), said point of Beginning being distant North 86 degrees 34 minutes 10 seconds West 1120.56 feet measured along the said Northerly side of Governor Lea Road from the point of intersection thereof with the center line of River Road; thence from said point of Beginning and along the said Northerly side of Governor Lea Road, North 86 degrees 34 minutes 10 seconds West, 265.47 feet to a point, a corner for lands of Standard Chlorine Company; thence thereby due North 1122.93 feet to a point; thence along lines of other lands of Diamond Shamrock Corporation, the two following described courses and distances: (1) due East 265.00 feet to a point and (2) due South 1138.81 feet to a point on the said Northerly side of Governor Lea Road and the point and place of BEGINNING. Containing within such metes and bounds 6.873 acres of land be the same more or less, but subject to all legal highways.

BEING the same lands and premises which Diamond Shamrock Corporation, a Delaware corporation, by Deed dated February 7, 1974, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record W, Volume 88, Page 82, granted and conveyed unto Standard Chlorine of Delaware, a Delaware corporation, party of the first part hereto, in fee.

#### TAX PARCEL 12-003.00-012

ALL that certain lot, piece or parcel of land, situated in Red Lion Hundred, New Castle County and State of Delaware, designated as Parcel D on a certain Record Minor Subdivision Plan of Diamond Shamrock Corporation made by Edward H. Richardson Associates, Inc., dated August 2, 1978 and appearing of record in the Office of the Recorder of Deeds in and for New Castle County aforesaid in Microfilm No. 4969 and being particularly bounded and described in accordance therewith as follows, to wit:

BEGINNING at a point on the Northerly side of Governor Lea Road (Rt. 405), said point of Beginning being distant North 86 degrees 34 minutes 10 seconds West 920.20 feet measured along the said Northerly side of Governor Lea Road from the point of intersection thereof with the center line of Hamburg River Road (Rt. 9); thence from said point of Beginning and along the said Northerly side of Governor Lea Road, North 86 degrees 34 minutes 10 seconds West, 200.36 feet to a point, a corner for lands of Standard Chlorine of Delaware; thence thereby due North 1138.81 feet to a point; thence along lines of other lands of Diamond Shamrock Corporation, the two following described courses and distances: (1) due East 200.00 feet to a point, and (2) due South 1150.80 feet to a point on the said Northerly side of

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Governor Lea Road and the point and place of Beginning. Containing within such metes and bounds, 5.256 acres of land be the same more or less, but subject to all legal highways.

BEING the same lands and premises which Diamond Shamrock Corporation, a Delaware corporation, by Deed dated December 17, 1980, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record K, Volume 113, Page 313, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

TAX PARCEL 12-003.00-017

ALL that certain piece and parcel of land shown and depicted as Lot #2 on that certain Minor Subdivision Plan - Air Products and Chemicals, Inc. dated July 1, 1994 and recorded in the Office of the Recorder of Deeds in and for New Castle County, State of Delaware at Microfilm No 12215 (the "Plan"), being more particularly bounded and described on the Plan as follows, to wit:

BEGINNING at a point located the two following courses and distances from the intersection of the northeasterly side of Governor Lea Road (Road 405) and the extension thereof with the center line of River Road (Route 9 or Hamburg Corner Road); (1) North 86 degrees 34 minutes 10 seconds West 1852.22 feet measured along the said northeasterly side of Governor Lea Road and the extension thereof to a concrete monument; thence due south 1,022.38 feet to the point and place of Beginning. Thence, along a common line of Lot #2 and Lot #1 as shown on the Plan, north 87 degrees 28 minutes 00 seconds west 479.95 feet to a point; thence, along a common line of Lot #2 and lands now or formerly of Star Enterprise south 25 degrees 16 minutes 40 seconds west 992.11 feet to a point; thence, along a common line of Lot #2 and lands now or formerly of Diamond Alkali Corporation c/o Occidental Chemical Co. due west 1,064.52 feet to the point and place of Beginning. Such lot containing an area of 5.995 acres, more or less, according to the Plan.

TOGETHER with the use of a 20 foot wide access easement across lands shown as Lot #1 on the plan for the exclusive purpose of vehicular and pedestrian ingress and egress, and regress to and from Lot #2; provided, however, that such easement and all of grantee's rights arising therefrom or relating thereto shall automatically be extinguished, never to revive, at such time as legal title to any lands contiguous with Lot #2 are vested in the then owner of Lot #2, whether grantee or any successor owner of Lot #2.

BEING the same lands and premises which Air Products & Chemicals, Inc., a Delaware corporation, by Deed dated March 13, 1995, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 1893, Page 348, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

TAX PARCEL 12-008.00-004 AND 12-008.00-006

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ALL that certain lot, piece or parcel of land situate in Red Lion Hundred, New Castle County and State of Delaware, being 23.600 acres as shown on a Record Minor Subdivision Plan of lands of Getty Refining and Marketing Company prepared by Van Demark & Lynch, Inc., professional land surveyors, dated June 19, 1978 and recorded in the Office of the Recorder of Deeds in and for New Castle County and State of Delaware in Microfilm No. 5151, being more particularly bounded and described as follows, to wit:

BEGINNING at a point on the southerly side of Governor Lea Road, known as Road No. 405, said point of Beginning being a corner for other lands of the Getty Refining and Marketing Company and being distant the two following described courses and distances measured from the point of intersection of the center line of Governor Lea Road with the center line of River Road: (1) along the said center line of Governor Lea Road, North 86 degrees 34 minutes 10 seconds West, 551.36 feet to a point; and (2) crossing said Governor Lea Road, Due South, 15.03 feet to a point on the southerly side of said Governor Lea Road and the point of beginning; thence from the said point of Beginning and through lands of Getty Refining and Marketing Company the three following described courses and distances: (1) Due South, 877.80 feet to a point; (2) Due West, 1,127.70 feet to a point; and (3) Due North, 945.40 feet to a point on the said southerly side of Governor Lea Road; thence thereby, South 86 degrees 34 minutes 10 seconds East, 1,129.73 feet to a corner for said other lands of Getty Refining and Marketing Company and the point and place of Beginning.

BEING the same lands and premises which Getty Refining and Marketing Company, a Delaware corporation, by Deed dated June 18, 1979, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record D, Volume 106, Page 127, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

EXCEPTING THEREOUT AND THEREFROM THE FOLLOWING TWO (2) PARCELS:

PARCEL NO. 1: ALL that certain tract, piece or parcel of land situated on the westerly side of River Road (Delaware Route 9) and the southerly side of Governor Lea Road (Road No. 405), Red Lion Hundred, New Castle County, Delaware, and shown on sheet 3 of 5 on a survey prepared by Van Demark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, Plan No. 33015-F and entitled "Record Minor Land Development Plan, Star Enterprise Repowering Project," recorded in the Office of the Recorder of Deeds, in and for New Castle County, State of Delaware, in Microfilm No. 13506, and more particularly described as follows, to wit:

BEGINNING at a point on the line of lands now or formerly of Star Enterprise, said point being distant the two following described courses and distances measured from the northwesterly end of a corner-cut joining the westerly right-of-way line of River Road (Delaware Route 9 at 70 feet wide) with the southerly right-of-way line of Governor Lea Road (Road No. 405 at 45 feet wide): (1) Along the said southerly right-of-way line of Governor Lea Road, North 86 degrees 34 minutes 35 seconds West, 471.13 feet to a corner for lands

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now or formerly of Standard Chlorine of Delaware, Inc.; and (2) Leaving the said side of Governor Lea Road and along the common line for said lands now or formerly of Star Enterprise and the said lands now or formerly of Standard Chlorine of Delaware, Inc., South 00 degrees 00 minutes 25 seconds East, 476.49 feet to the said point of Beginning; Thence, from said point of Beginning and continuing along the said common lines the two following described courses and distances: (1) South 00 degrees 00 minutes 25 seconds East, 386.28 feet to a point; and (2) South 89 degrees 59 minutes 35 seconds West, 225.53 feet to a point; Thence, through the said lands of Standard Chlorine of Delaware, Inc., the two following described courses and distances: (1) North 00 degrees 00 minutes 25 seconds West, 386.28 feet to a point; and (2) North 89 degrees 59 minutes 35 seconds East, 225.53 feet to the point and place of Beginning.

PARCEL NO. 2: ALL that certain tract, piece or parcel of land situated on the westerly side of River Road (Delaware Route 9) and the southerly side of Governor Lea Road (Road No. 405), Red Lion Hundred, New Castle County, Delaware, and shown on sheet 3 of 5 as "Proposed Parcel 4E" on a survey prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, Plan No. 33015-F and entitled "Record Minor Land Development Plan, Star Enterprise Repowering Project," recorded in the Office of the Recorder of Deeds, in and for New Castle County, State of Delaware, in Microfilm No. 13506, and more particularly described as follows, to wit:

BEGINNING at a point on the line of lands now or formerly of Star Enterprise, said point being distant the three following described courses and distances measured from the northwesterly end of a corner-cut joining the westerly right-of-way line of River Road (Delaware Route No. 9 at 70 feet wide) with the southerly right-of-way line of Governor Lea Road (Road NO. 405 at 45 feet wide): (1) Along the said southerly right-of-way line of Governor Lea Road, North 86 degrees 34 minutes 35 seconds West, 471.13 feet to a corner for lands now or formerly of Standard Chlorine of Delaware, Inc.; (2) Leaving the said side of Governor Lea Road and along the common line for said lands now or formerly of Star Enterprise and the said lands now or formerly of Standard Chlorine of Delaware, Inc., South 00 degrees 00 minutes 25 seconds East, 862.77 feet; and (3) Continuing along the said lands now or formerly of Star Enterprise, South 89 degrees 59 minutes 35 seconds West, 225.53 feet to the point of Beginning; Thence, from said point of Beginning and continuing along the lines of said lands now or formerly of Star Enterprise the two following described courses and distances: (1) South 89 degrees 59 minutes 35 seconds West, 902.17 feet to a point; (2) North 00 degrees 00 minutes 25 seconds West, 386.128 feet to a point; Thence, through the said lands of Standard Chlorine of Delaware, Inc. the two following described courses and distances: (1) North 89 degrees 59 minutes 35 minutes East, 902.17 feet to a point; and (2) South 00 degrees 00 minutes 25 seconds East, 386.28 feet to the point and place of Beginning.

PROPOSED LEASE PARCEL 10 (P/O Tax Parcel 12-008.00-004)

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ALL that certain tract, piece or parcel of land situated on the westerly side of River Road (Delaware Route No. 9) and the southerly side of Governor Lea Road (Road NO. 405), Red Lion Hundred, New Castle County, Delaware, and shown on sheet 3 of 5 as "Proposed Lease Parcel 10" on a survey prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, Plan No. 33015-F and entitled "Record Minor Land Development Plan, Star Enterprise Repowering Project," recorded in the Office of the Recorder of Deeds, in and for New Castle County, State of Delaware, in Microfilm No. 13506, and more particularly described as follows, to wit:

BEGINNING at a point at the northwesterly end of a corner-cut joining with the westerly right-of-way line of River Road (Delaware Route 9 at various widths) with the southerly right-of-way line of Governor Lea Road (Road No. 405 at 45 feet wide); Thence, thereby, South 42 degrees 13 minutes 18 seconds East, 30.88 feet to a point along the said westerly right-of-way line of River Road; Thence, thereby, the five following described courses and distances: (1) South 01 degree 50 minutes 12 seconds West, 292.76 feet to a point; (2) North 88 degrees 09 minutes 48 seconds West, 5.00 feet to a point; (3) South 01 degree 50 minutes 12 seconds West, 20.00 feet to a point; (4) South 88 degrees 09 minutes 48 seconds East, 5.00 feet to a point; and (5) South 01 degree 50 minutes 12 seconds West, 90.66 feet to a point; Thence leaving the said side of Governor Lea Road and through lands of Star Enterprise, South 89 degrees 59 minutes 35 seconds West, 498.22 feet to a point on the line for lands now or formerly of Standard Chlorine of Delaware, Inc.; Thence, along the easterly line for the said lands now or formerly of Standard Chlorine of Delaware, Inc., North 00 degrees 00 minutes 25 seconds West, 476.49 feet to a point on the said southerly right-of-way line of Governor Lea Road; Thence, thereby, South 86 degrees 34 minutes 35 seconds East, 471.13 feet to the point and place of Beginning.

BEING the same lands and premises which Star Enterprise, a New York general partnership, by Deed dated October 26, 1998 and recorded October 28, 1998, of record in the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Book 2530, Page 167, granted and conveyed unto Standard Chlorine of Delaware, Inc., party of the first part hereto, in fee.

SAID LANDS AND PREMISES being now more particularly bounded and described in accordance with ALTA/ASCM (1997) Land Title Survey prepared by Taylor Wiseman & Taylor, West Chester, Pennsylvania, Drawing No. WCI-60021-A, dated November 10, 1998, as follows, to wit:

#### TRACT 1

Situated in Red Lion Hundred, County of New Castle, State of Delaware and being more particularly described as follows:

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BEGINNING at a point in the northerly right of way line of Governor Lea Road A.K.A. Road No.405 (45.00 feet wide right of way), said point being distant 920.20 feet as measured from the intersection of the centerline of River Road, A.K.A. Route 9 (70 feet wide) with the extended said northerly right of way line of Governor Lea Road, and commences from said Beginning Point: Thence (1) North 86 degrees 32 minutes 58 seconds West along the said line of Governor Lea Road, 932.02 feet to a point in the same; thence (2) North 00 degrees 01 minutes 12 seconds East along the easterly line of lands now or formerly of Air Products & Chemicals, Inc., 1022.37 feet to a point corner to the same; thence (3) North 87 degrees 26 minutes 48 seconds West along the northerly line of said Air Products land, 479.95 feet to a point in the easterly line of lands now or formerly of Diamond Alkali Company; thence (4) North 20 degrees 55 minutes 42 seconds East, partially along the same, 156.50 feet to a point for an angle; thence (5) North 25 degrees 17 minutes 52 seconds East still partially along the same, 1812.58 feet to a point; thence (6) South 74 degrees 06 minutes 18 seconds East along the southerly line of lands of Diamond Alkali Company, 602.00 feet to a point for an angle; thence (7) South 82 degrees 06 minutes 08 seconds East still along the same, 0.97 feet to a point; thence (8) South 00 degrees 01 minutes 12 seconds West along the westerly line of lands now or formerly of Diamond Alkali Company, 2719.76 feet to the point and place of Beginning, but subject to all legal highways.

## TRACT 2

Situated in Red Lion Hundred, County of New Castle, State of Delaware and being more particularly described as follows:

BEGINNING at a point being the southeasterly end of a corner-cut formed by the intersection of the southerly right of way line of Governor Lea Road A.K.A. Road No. 405 (45.00 feet wide right of way) with the westerly right of way line of River Road, A.K.A. Route 9 (70 feet wide) and commences from said beginning point: Thence along the said line of River Road the following five courses: (1) South 01 degree 51 minutes 49 seconds West, 292.76 feet to a point; thence North 88 degrees 08 minutes 11 seconds West 5.00 feet to a point; thence (3) South 01 degree 51 minutes 49 seconds West 20.00 feet to a point; thence (4) South 88 degrees 08 minutes 11 seconds East 5.00 feet to a point; thence (5) South 01 degree 51 minutes 49 seconds East 90.66 feet to a point being the northeast corner of lands now or formerly of Star Enterprise; thence (6) North 89 degrees 58 minutes 48 seconds West along the northerly line of said lands of Star Enterprise, 1625.92 feet to a point corner to the same; thence (7) North 00 degrees 01 minute 12 seconds East along the easterly line of said lands of Star Enterprise, 544.90 feet to a point in the aforementioned southerly right of way line of Governor Lea Road (45.00 feet wide right of way); thence (8) South 86 degrees 32 minutes 58 seconds East along the same, 1600.86 feet to a point being the northwesterly end of the aforementioned corner-cut; thence (9) South 42 degrees 11 minutes 41 seconds East 60.88 feet to the point and place of Beginning, but subject to all legal highways.

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**Exhibit B**

**Exceptions to Title**

1. Grant of Easement and Right of Way between Getty Oil Company and Eastern Shore Natural Gas Company dated September 9, 1971, and recorded in Deed Record X, Volume 90, Page 593, New Castle County Records;
2. Agreement between Diamond Alkali Company and Delaware Power & Light Company dated September 18, 1964, and recorded in Deed Record C, Volume 75, Page 496, New Castle County Records;
3. Easement between Standard Chlorine of Delaware, Inc. and Diamond Alkali Company dated December 6, 1965, and recorded in Deed Record L, Volume 76, Page 567, New Castle County Records;
4. Agreement between Diamond Alkali Company and Delaware Power & Light Company dated January 11, 1966, and recorded in Deed Record N, Volume 76, Page 277, New Castle County Records;
5. Easement Agreement between Diamond Shamrock Corporation and Delmarva Power & Light Company dated September 28, 1973, and recorded in Deed Record W, Volume 88, Page 154, New Castle County Records;
6. Easement between Delmarva Power & Light Company and The Diamond State Telephone Company dated August 3, 1971, and recorded in Deed Record F, Volume 85, Page 573, New Castle County Records;
7. Agreement between Getty Refining and Marketing Company and Delmarva Power & Light Company dated January 2, 1977, and recorded in Deed Record L, Volume 104, Page 97, New Castle County Records;
8. Easement to Delaware Power & Light Company dated December 30, 1960, and recorded in Deed Record H, Volume 67, Page 406, New Castle County Records;
9. Agreement between Tidewater Oil Company and Delaware Power & Light dated July 16, 1964, and recorded in Deed Record P, Volume 73, Page 314, New Castle County Records;

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10. Agreement between Tidewater Oil Company and Delmarva Power & Light Company dated July 3, 1967, and recorded in Deed Record A, Volume 86, Page 503, New Castle County Records;
11. Right of Way between Diamond Alkali Company and Air Products & Chemicals dated May 21, 1953, and recorded in Deed Record I, Volume 71, Page 252, New Castle County Records;
12. Agreement between Diamond Alkali Company and Delaware Power & Light Company dated May 3, 1961, and recorded in Deed Record T, Volume 67, Page 688, New Castle County Records;
13. Agreement between Delaware Power & Light Company and Air Products & Chemicals dated January 15, 1963, and recorded in Deed Record S, Volume 70, Page 676, New Castle County Records;
14. Agreement between Tidewater Oil Company and Delaware Power & Light Company dated June 22, 1962, and recorded in Volume 69, Page 592, New Castle County Records;
15. Administrative Order for Remedial Design and Remedial Action to Standard Chlorine of Delaware, Inc. dated July 16, 1996, and recorded in Book 2136, Page 1, New Castle County Records;
16. Acknowledgment and Notice of Existence of Order by Standard Chlorine of Delaware, Inc. dated October 7, 1996, and recorded in Book 2182, Page 184, New Castle County Records;
17. Conditions, Restrictions and Reservations contained in Deed between Delaware Industrial Development Corporation Number Two and Standard Chlorine of Delaware, Inc. dated June 1, 1965, recorded in Deed Record B, Volume 75, Page 1, New Castle County Records;
18. Easement between General Waterworks Corporation and Diamond Shamrock Corporation dated October 18, 1968, and recorded in Deed Record V, Volume 81, Page 217, New Castle County Records;
19. Agreement between Diamond Alkali Company and Delaware Power & Light Company dated December 31, 1965, and recorded in Deed Record N, Volume 76, Page 280, New Castle County Records;
20. Conditions, Restrictions and Reservations contained in Deed from Tidewater Oil Company to Diamond Alkali Company dated December 19, 1960, and recorded in Deed Record E, Volume 67, Page 332, New Castle County Records, as modified by

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instrument recorded in Deed Record C, Volume 75, Page 425, New Castle County Records;

21. General notes, easements, reservations and restrictions as shown on Record Minor Subdivision Plan, Diamond Shamrock Corp. and recorded as Microfilm No. 4969, New Castle County Records;
22. Conditions, Restrictions and Reservations contained in Deed between Diamond Shamrock Corporation and Department of Community Affairs and Economic Development dated November 12, 1970, and recorded in Deed Record I, Volume 84, Page 283, New Castle County Records;
23. Conditions, Restrictions and Reservations contained in Deed between Department of Community Affairs and Economic Development and Standard Chlorine of Delaware, Inc. dated June 10, 1998, and recorded in Book 2480, Page 66, New Castle County Records;
24. Conditions, Restrictions and Reservations contained in Deed between Diamond Shamrock Corporation and Standard Chlorine of Delaware, Inc. dated February 7, 1974, and recorded in Deed Record W, Volume 88, Page 82, New Castle County Records;
25. General notes, easements, reservations and restrictions shown on Record Minor Subdivision Plan recorded as Microfilm No. 2422, New Castle County Records;
26. Conditions, Restrictions and Reservations contained in Deed between Diamond Shamrock Corporation and Standard Chlorine of Delaware dated December 17, 1980, and recorded in Deed Record K, Volume 113, Page 313, New Castle County Records;
27. Right of Way Agreement between Diamond Alkali Company and Air Products & Chemicals dated December 1, 1962, and recorded in Deed Record Q, Volume 70, Page 455, New Castle County Records;
28. General notes, easements, reservations and restrictions as shown on Record Minor Subdivision Plan, Air Products and Chemicals, Inc. recorded as Microfilm No. 12215, New Castle County Records;
29. Conditions, Restrictions and Reservations contained in Deed between Getty Refining Marketing Company and Standard Chlorine of Delaware, Inc. dated June 18, 1979, and recorded in Volume 106, Page 127, New Castle County Records;
30. Declaration of Easement (Storm Water Management) by Star Enterprise dated April 29, 1998, and recorded in Deed Record D, Book 2439, Page 16, New Castle County Records;

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31. General notes, easements, reservations and restrictions as shown on Record Minor Subdivision Plan, Getty Refining & Marketing Co. recorded as Microfilm No. 5151, New Castle County Records;
32. General notes, easements, reservations and restrictions as shown on Record Minor Land Development plan, a portion of property of Standard Chlorine of Delaware, Inc. recorded as Microfilm No. 9045, New Castle County Records;
33. General notes, easements, reservations and restrictions as shown on Record Minor Land Development Plan, Star Enterprise Repowering Project recorded as Microfilm No. 13506, New Castle County Records;
34. First Refusal Agreement between Star Enterprise, Inc. and Standard Chlorine of Delaware, Inc. dated October 26, 1998, and recorded in Deed Book 2530, Page 299, New Castle County Records;
35. Easement Agreement between Getty Refining and Marketing Company and Delmarva Power & Light Company dated January 10, 1983, and recorded in Deed Record P, Volume 123, Page 280, New Castle County Records;
36. Conditions, Restrictions and Reservations contained in Special Warranty Deed between Texaco Refining and Marketing, Inc. and Star Enterprises, Inc., dated December 31, 1988, and recorded in Book 814, Page 314, New Castle County Records.